SINGLE BENCH

(4)

(1) CF1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. (S) NO. 5698 / 2006

Petitioner : Prabhas Kumar Pal,
S/o. Shri Late A.K. Pal, Aged about 42 years, Upper Division Teacher, Govt. Higher Secondary School, Pali, Tahsil & Block Pali, Distt. – Korba (C.G.)

P.R. No. 57/13/06
Presented by Shri Anil Singh
dated 12/10/06

VERSUS

Respondents :
1. State of Chhattisgarh & Others
Through- The Secretary, Department of School Education/ T.W.D., D.K.S. Bhawan, Raipur (C.G.)
2. Commissioner, Tribal Welfare Department Chhattisgarh Government, Raipur (C.G.)
3. Asstt. Commissioner Tribal Welfare Department , Distt.- Korba (C.G.)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF SUITABLE WRIT, WRITS, DIRECTION ETC TO DO JUSTICE IN THE MATTER.

(24)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.5698 OF 2006

Petitioner : Prabhas Kumar Pal

versus

Respondents : State of Chhattisgarh and others

Present : Mr. A.S. Rajput, counsel for the petitioner.
Mr. Utkarsh Verma, Deputy Government Advocate for the respondents/State.

ORDER
(Passed on 26th of October, 2006)

Learned counsel appearing for the petitioner submits that the petitioner is working as Upper Division Teacher in the Government Higher Secondary School, Pali, Block Pali, District Korba. In the course of his service, the petitioner passed B.Ed. Examination on 2-9-1995 at his own expenses.

2. Learned counsel for the petitioner relies on the decision of this Court in *Yashwant Kumar Bharadwaj vs. Municipal Corporation, Durg and another*[1], wherein it has been held that the Teachers, having obtained B.Ed., M.Ed., B.T.I. Certificates, at their own expenses, would be entitled to two advance increments. According to learned counsel for the petitioner, the case of the petitioner is squarely covered by the decision in the matter of *Yashwant Kumar Bharadwaj* (Supra). Learned

(25)

counsel appearing for the respondents/State fairly concedes to the position and agrees with the statements made by learned counsel for the petitioner.

3. Accordingly, this petition is allowed in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioner has acquired B.Ed. Certificate at his own expenses and further whether he has been paid two advance increments or not. No order as to costs.

Certified copy as per rules.

Sd/-
Satish K. Agnihotri
Judge

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1 2006 (II) MPJR-CG 96

Gopal